



Docket No.: 12513

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Letson et al.

Serial No: 09/577,751

Group No.: 3765

Filed: December 8, 2000

Examiner: T. Patel

Title: WACKER CHAPS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

Attention: Office of Petitions
Assistant Commissioner for Patents

Box: DAC
Washington, D.C. 20231

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The above-identified application became abandoned for failure to file a timely and proper reply to the non-final Office action mailed on July 6, 2001, which set a three month period for reply. The abandonment date of this application is January 7, 2002, which includes a three-month extension of time requested by the attached petition for a three-month extension of time. Applicant hereby petitions for revival of this application. Enclosed is the petition fee set forth in 37 C.F.R. 1.17(m), a response to the non-final office action, and a petition and fee for a three-month extension of time under 37 C.F.R. 1.136(a). If any additional fees are due, please charge the same to Deposit Account Number 04-1425.

Applicant William Letson filed and prosecuted this application *pro se* with the co-applicant Cheryl Letson. From the time the office action was issued in July 2001 until present, the co-inventors William Letson and Cheryl Letson have been going through a divorce. Correspondence for the application was sent to Cheryl Letson, who forwarded the office action to William Letson one week before the final due-date in January 2002. William Letson was

unaware that the due-date could be extended to January 2002 and believed the application had already been abandoned. William Letson contacted the undersigned representative and colleagues in March and discussed the possibility of reviving the abandoned application. The necessary paperwork was received in late May from Cheryl Letson including a document assigning her rights in the application to William Letson. In late May, the paperwork, including instructions, was mailed to us. The paperwork was then lost in the mail and eventually returned to William Letson. The paperwork was re-mailed along with instructions, which we received in mid-July. William Letson then mailed a copy of the application as filed which was received in mid-August by the undersigned. The undersigned has diligently prepared a response from that time until the present.

The entire delay in filing the required reply from the due date for the reply until the filing of this petition was unintentional.

Respectfully submitted,

Date: 9 - 27, 2002

for James M. Eynes, Reg No 51,646
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